

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENERGY CORP. FOR A)	CASE NO.
GENERAL ADJUSTMENT IN RATES)	2015-00312

ORDER

On October 29, 2015, Kenergy Corp. ("Kenergy") filed an application requesting an adjustment in existing rates. In its application, Kenergy requested permission to deviate from the filing requirements of 807 KAR 5:001, Section 16(4)(i), because Kenergy uses interest coverage to arrive at its revenue requirements, and thus the requirement of reconciling rate base and capital used to determine revenue requirements was not applicable to Kenergy's application. On November 9, 2015, the Commission, by letter, notified Kenergy that the application was rejected because it contained filing deficiencies, and that the application would not be deemed filed until the deficiencies were cured. On November 12, 2015, Kenergy filed a motion to deviate from the public notice requirements of 807 KAR 5:001, Section 17(2)(b)(3). On November 13, 2015, Kenergy tendered documents to remedy the deficiencies specified in the November 9, 2015 deficiency letter. On November 16, 2015, the Commission entered an Order granting Kenergy's motion to deviate from the filing requirements of 807 KAR 5:001, Section 16(4)(i), and stating that Kenergy's application was not considered filed until all filing deficiencies were deemed cured.

807 KAR 5:001, Section 17(2)(b)(3), requires that a utility with more than 20 customers shall publish notice once a week for three consecutive weeks in a newspaper

of general circulation in the utility's service area, with the first publication to be made no later than the date the application is submitted to the Commission. As a basis for its motion to deviate from 807 KAR 5:001, Section 17(2)(b)(3), Kenergy states that one of the newspapers in Kenergy's service area, the Providence Journal-Enterprise, was scheduled to run Kenergy's public notice on Wednesday, October 28, 2015, which was prior to the date that Kenergy filed its application with the Commission. Kenergy further states that, through inadvertence and oversight, the Providence Journal-Enterprise failed to publish the public notice on October 28. With its motion, Kenergy filed a notarized statement from the Providence Journal-Enterprise stating that the notice did not run on October 28, 2015, due to an error in the newspaper's computer settings, and that the notice was rescheduled to run on November 4, 11, and 18, 2015.

Having reviewed the filing and being otherwise sufficiently advised, the Commission finds that Kenergy has established good cause to permit it to deviate from the filing requirements of 807 KAR 5:001, Section 17(2)(b)(3). The Commission also finds, having reviewed the documents filed by Kenergy on November 13, 2015, that Kenergy has cured all of the filing deficiencies. The Commission further finds that Kenergy's application should be deemed filed as of the date of this Order.

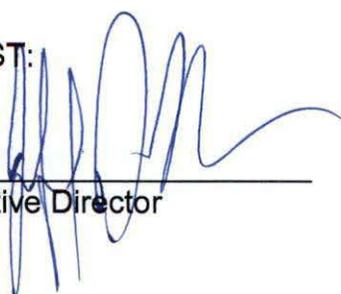
IT IS THEREFORE ORDERED that:

1. Kenergy's request to deviate from the public notice requirements of 807 KAR 5:001, Section 17(2)(b)(i), is granted.
2. Kenergy's filing deficiencies are deemed cured.
3. Kenergy's rate application is deemed filed as of the date of this Order.

By the Commission

ENTERED 
NOV 20 2015
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

Case No. 2015-00312

*Honorable Kurt J Boehm
Attorney at Law
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

*Jody Kyler Cohn
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

*Jeff Hohn
President & CEO
Kenergy Corp.
6402 Old Corydon Road
P. O. Box 18
Henderson, KY 42419

*J. Christopher Hopgood
Dorsey, Gray, Norment & Hopgood
318 Second Street
Henderson, KENTUCKY 42420

*Kenergy Corp.
6402 Old Corydon Road
P. O. Box 18
Henderson, KY 42419

*Honorable Michael L Kurtz
Attorney at Law
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

*Steve Thompson
Kenergy Corp.
6402 Old Corydon Road
P. O. Box 18
Henderson, KY 42419